

## **BOARD OF SELECTMEN**

**March 10, 2009**

### **Minutes**

The Board of Selectmen met on Tuesday, March 10, 2009 in the Town Hall Clark Room. Those present were Selectmen Douglas A. G. Stevenson, John D. Williams, William R. Tice, Jr., Alan Carpenito, Timothy F. Hult, and Town Administrator Madonna J. McKenzie.

Mr. Stevenson spoke about the special 'welcome-home' reception that occurred at Town Hall on March 3<sup>rd</sup> for Maj. Michael Jacobson who returned to Carlisle from Iraq.

#### **Town Administrator Report**

Mrs. McKenzie reported on the Bruce Freeman Rail Trail Inter-Municipal Agreement. She said the Town of Concord has had a few additional comments on the agreement and therefore the agreement will be back at the next meeting.

Mrs. McKenzie said in regard to the Wireless, a copy of the RFP and a Communications Site Lease Agreement are enclosed in the Boards books this evening for their review.

Mrs. McKenzie presented an application for support from the Carlisle Public School relative to the Safe Routes to School Program. This was prepared by Claire Wilcox, Eileen Faber and Deb Belanger. On a motion made by Mr. Carpenito and seconded by Mr. Tice, it was unanimously **VOTED** to support the request of the Carlisle Public School for an infrastructure assessment as part of the Safe Routes to School (STRS) Program.

Mrs. McKenzie spoke about the Energy Audit that took place at Town Hall and other Town buildings. All the information received from the Massachusetts Division of Energy Resources was e-mailed to the Board.

Mrs. McKenzie said all relative information has been submitted to FEMA for the ice and snow storm during December. She said she is waiting to hear further from FEMA on reimbursement.

Mrs. McKenzie spoke about a BAN that Finance Director Larry Barton will be addressing at the Board's next meeting. She briefly informed the Board what items were included in this BAN. They are the cisterns, the pathways, and boilers at the school.

#### **Liaison Reports**

Mr. Tice said the Carlisle Cable Advisory Committee will have their initial meeting on March 18<sup>th</sup>. Mr. Tice also reported that the second half of the Accessory Alternative Clean Energy Generation Committee's Public Hearing with the Planning Board was last night. He said there was a lot of good community input at the meeting. The issues discussed related to noise and property lines/ set-backs, and solar panels. He said there was a 'tightening up' on the noise issues.

Mr. Carpenito said the Town Common Circulation Committee has a recommendation for the Selectmen. Their recommendation is 'to put a pathway along the bottom of the Common along Concord Road. He said coming up School Street, there is a need for some survey work in order to find out where the right - of -way is and to locate the corner at the top of the School /Church intersection. Mr. Carpenito said the survey work has to be done before the final layout of the

Pathway can occur on School Street.’ Mr. Stevenson asked if there was funding in the Pathway account for this survey? Mr. Carpenito said there is no funding. He said they want to complete all of their current work and if there are funds leftover, they will attend to the above.

Mr. Tice said in regard to the wind turbine by-law, the Committee did change the wording so that it would not discount the possibility of using wind energy for municipal purposes.

Mr. Williams said there was another teacher’s contract negotiating session last week. He added that two future sessions have been scheduled.

Mr. Stevenson said the Honor Roll Memorial Committee has moved into the construction phase of their project. He said they have chosen a clerk of the works to oversee the project. This person is a volunteer from the community. He said the Honor Roll will not be ready for Memorial Day, however, they are hoping for Old Home Day.

Mr. Stevenson also spoke about the FinTeam meeting that occurred this morning. He said most of the discussions were about the Warrant, the FY10 Budget and local receipts. He noted that the School Building Committee is continuing to move forward.

Mr. Hult said he and Mr. Carpenito are continuing to work with the Communications Department. He also spoke about the Community Preservation Committee. Mr. Hult said the Gleason Public Library gave the same presentation to the Committee that was given to the Selectmen. The CPC will meet again on March 17<sup>th</sup>. Mr. Hult said at that meeting they will discuss the funding for Library project.

### **Appointments**

On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to appoint Launa Zimmaro to the Household Recycling Committee for a three year term that will end on June 30, 2012.

### **Minutes**

On a motion made by Mr. Tice and seconded by Mr. Carpenito, it was unanimously **VOTED** to approve the Minutes to the Board of Selectmen meeting of February 24, 2009.

### **Housing Authority – Benfield**

Present for this discussion were Housing Authority Chairman Alan Lehotsky, Administrative Coordinator Elizabeth Barnett, NOAH representative Phil Giffie, Peter Schaffer from DiMella-Schaffer and Development Consultant Toby Kramer. Alan Lehotsky introduced Mr. Phil Giffie, the developer from NOAH. Mr. Giffie said last night they met with the Carlisle Planning Board. He said they have also talked with the Council on Aging. Mr. Giffie emphasized that they are willing to work with the Town relative to water and septic systems. He talked about the site, which is turned in a certain way to benefit the sunlight. He spoke, comparing Village Court to the new Benfield Farm Site and the differences between the two in size and shape. Mr. Giffie noted that it is a 45 acre site with four lots. Mr. Peter Schaffer spoke about the *Benfield Farm Site*. He said they have tried to become familiar with the area and community. He noted that there are a lot of constraints on the site. He said Lot #4 of the lots will be used only for sanitary. Mr. Schaffer showed the units, which were one and two bedroom units, on three floors. The units were designed for elderly citizens in mind, with bathrooms that were accommodating to and handicapped accessible. Mr. Schaffer showed what the building would/would not look like from the road. He explained that with trees and greenery, it would barely be visible. He noted that this project is a little bigger than Village Court.

Toby Kramer said she is working with NOAH primarily as a consultant with the permitting and the financial issues. She said this project will require a comprehensive permit. She said they are trying to do it under a friendly comprehensive permit. Ms. Kramer said they have been working DHCD to better understand the process. She also said they have been working on the financing of this project. Ms. Kramer said they have met with the Housing Authority, Planning Board, and some of the staff and members of the Historical Commission to receive comments. The purpose is to gather

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comments and a letter of support from the Board of Selectmen and send same to the State relative to the project.

Mr. Stevenson thanked the NOAH group for this information. Mr. Tice asked about the size of the entire building. Mr. Schaffer tried to explain the size of the building in comparison to Mr. Tice's house and various other buildings. Mr. Hult asked about the purpose of the letter of approval or support. He wanted to know if there was a connection with financing. Mr. Giffie said the State will want to know if the Board of Selectmen is supporting this proposal. Ms. Kramer said that this is a very competitive period, and therefore showing support at the early stages is important.

Mr. Hult also mentioned the letter received by the Board of Selectmen regarding the septic systems on the land. He wanted the developer to know that in Carlisle, the people are very concerned about water. Mr. Giffie said they are willing to hear and work with the concerns of the Town.

Mr. Williams spoke about two major documents that the Town committees are working on relative to affordable housing projects. The first one is new rules and regulations from the 40B Working Group. The second document is relative to new proposed regulations for LIP projects. Mr. Williams spoke about a Town Hall Advisory Group [THAG]. He said the idea of this is that it is a working group/without lawyers, working on issues before they become escalated. He said this concept is the right way to go. He wanted to start this process. Mr. Williams was asking that NOAH commit to this process and then the Board would write the letter of support. Mr. Giffie said this is a decision for the Housing Authority; however they did not want to go through this process twice. Mr. Stevenson supported the idea of hearing from the Boards on this matter. Alan Lehotsky re-iterated that the Boards had already met with Developer NOAH on February 10<sup>th</sup>. Mr. Lehotsky said there were a few issues raised then, but nothing that would put an end to the project.

Mr. Hult asked what would be the timeframe that NOAH would come back to the Board of Selectmen after meeting with THAG. Mr. Stevenson said the Board would discuss this matter again within two weeks or one month.

### **Town Meeting Warrant –**

#### **Concord-Carlisle Regional School Committee**

CCRSC members Jerry Wedge and Louis Salemy and School Business Manager John Flaherty were present for this discussion. Mr. Flaherty spoke to the Board from the documents relative to the CCRSD Capital Improvement Article. This article is a request for \$750,000 to pay for repairs and renovations to the school.

Mr. Flaherty first spoke to the Board about the Concord Finance Committee agreeing to increase their guideline by approximately \$119,998. He said then they received information that the Concord Regional School Committee worked with the District to increase their contribution by \$139,060. He said this meant that the assessments to both Carlisle and Concord had been lowered [Carlisle by approx. \$86,000].

Mr. Flaherty addressed the questions the Board had relative to the improvements at the High School. He talked about the curtains, carpets, lavatory partitions and air conditioning in the music room and a Fire Alarm detection improvement in some classrooms. There was also a Planning Study that cost \$250,000. There was discussion on the Planning Study and the cost for same. Mr. Flaherty said over the past few years they have looked at projects, which they refer to as transportable projects, such as the outdoor bleachers, the science room, and foreign language lab as quick payback projects. They are also working with MSBA. He said now they need to look at areas that are suitable for rehab and expansion and selectively identify those areas of need. Jerry Wedge said they are working with MSBA, but have not heard any further information from them. He briefly spoke about accreditation issues. Jerry said they are looking at this Planning Study as more than a feasibility study, but as a road map on how to fix the school in the next five to ten years.

In clearer terms, Jerry said if in some instance the CCRHS is approved by MSBA before Town Meeting, they would not continue with the request for the \$750,000. If the \$750,000 is approved at Town Meeting, then they will proceed with the Study, find out what needs to be done and do what

projects they can without the assistance from the State. Mr. Hult said in these times, money for studies is questionable. Mr. Hult suggested separating the Study from the other needs on that Article. Planning Board Michael Epstein, David Freedman and Brian Larsen were present from the Planning Board. Mr. Epstein said on December 23<sup>rd</sup> when the Planning Board met with the Selectmen, they presented the proposed changes to the existing wireless by-law. Mr. Epstein said the goals that they had then, have not changed. He said since December 23<sup>rd</sup>, Town Counsel has reviewed the bylaw. Mr. Epstein said the Planning Board has had two public hearing in February and they received comments from the public and changes were made to the by-law as well. Mr. Epstein said as the Selectmen had requested, he was able to reach one member from the former wireless by-law committee, who actually attended one of their meetings and was supportive of their efforts. Mr. Stevenson asked the Board if there were any questions at this time. Mr. Hult inquired as to whether there would be a greater danger now. In other words, in what we are doing are we in greater danger by being overly restrictive. Brian Larsen replied to Mr. Hult's concerns by saying the RFP and the by-law are compatible. He said as to the legal aspect, structurally, the by-law revision the language can state priority or what the Town prefers. Brian said he did not think the by-law created a worse-case situation.

### **Finance Committee**

Finance Committee Chairman David Model was present to talk about the 2010 Budget. In summary format, he said new growth was up to \$15million (\$2million over '09) property taxes were up by 4%; state aid dropped by 10%, and local receipts were down by 5%.

David said the Town expenses were up slightly by 2%. He said this included a 1.9% increase at the School and 1.2% for Town Departments. He said there was a 20% increase in Debt service, LTRC and Warrant Articles. He noted that \$75,000 of Long Term Capital Req. funds [last year] went to the school for expenses.

David then spoke about the Departments. He said the Land Use Boards would not suffer a decrease, but would be held flat. The same was true for General Government. He noted that Personal Protection was up by 2.5% and Public Works and Library were up by 2% and the Council on Aging was up by 8%.

The next matter was Education Costs. David noted that the Carlisle Public School did a very good job with their budget. Through a lot of negotiations at the CCRHS, Carlisle's assessment was reduced this year.

The next issue was Free Cash. David said currently Free Cash is at \$994,285. The FinCom's recommendation is to take from Free Cash the following: \$75,000.00 for the Stabilization Fund (1 of 3 yr. plan); \$15, 813.00 for LTRC; and, \$88,812 to support the levy limit budgets. He said this would leave \$814,660 of Free Cash. In closing David said it is very important that the FinCom and Board of Selectmen work together for 2011 as early as possible.

Mr. Stevenson thanked him and the Finance Committee for there hard work on the budget.

### **Annual Town Meeting Warrant**

Mrs. McKenzie talked about the consent agenda. She said she spoke with Town Counsel and the Moderator and they have decided upon a method on how to proceed with the consent agenda. The Articles on the Consent agenda were 2, 11, 12, 13 and 24. It was decided that these articles would be grouped together. Mrs. McKenzie then went through the Articles on the Warrant, which is attached hereto. The Board, at this time mentioned which articles they wished to hold or discuss. Mrs. McKenzie said Article 9 was taken off the Warrant (relative to the Fire Truck). Article 14 – Open Space & Recreation was also taken off the Warrant as an article, due to its CPA status. The Board decided to hold off on Article 18 (Minuteman Regional High School Stabilization Fund). Articles 20, 21 and 22 were taken out. Articles 25 and 27 were requested to be held for discussion

The Board discussed the Minuteman Regional Stabilization Fund Article. The concern the Board had was over having two funds at the school for expenditures. The Board did not support placing

this Article on the Warrant. Mrs. McKenzie suggested inviting Carlisle's representative to the School to attend a Selectmen's meeting in the future.

The Board discussed Article 25. Mr. Stevenson said he has had some conversations with the Carlisle School Committee and the administrations. He said they are supportive of transferring the Highland Building to the Town. Their biggest concern was the use; that is, that the use is compatible with the School. The Board's concern was that once the building was transferred to the Board, and if the Town did not vote for the renovations, what would be the next step. The Board then discussed Article 27, Highland Building Demolition. It was agreed to keep both Articles 25 and 27 on the Warrant.

On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to approve the Warrant, excluding Articles 9, 14, 18, 20, 21, 22, and eliminating Questions 1, 2 and 5; and approve the Warrant for the Ballot Questions for the Town Election of May 12, 2009 for the election of Town Officers and Questions 3, 4, 6, and 7.

On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to close the Warrant for the Annual Town Meeting of May 4, 2009 and the Annual Town Election of May 12, 2009.

The Board briefly discussed the order of the Articles on the Warrant. It was decided that Articles 6, 7, 8 and 10 will be placed after Article 23.

Mr. Hult spoke briefly about the Gleason Public Library. He suggested funding the project through a few different sources. The Board was in agreement with his idea of not using all of the CPA money on two projects.

The meeting adjourned at 10:45 p.m.

Respectfully submitted by Margaret M. deMare